



SMALL BUSINESS AND ENVIRONMENTAL
ASSISTANCE DIVISION, MC 106
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION
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T e x a s N a t u r a l R e s o u r c e C o n s e r v a t i o n C o m m i s s i o n

Small Business
The Advocate

For and about small businesses affected by environmental regulations

Healthy Environment. Strong Business. Good Sense.

PD-006/00-5

Volume 5, Issue 5 / September - October 2000

**Know Your Regional
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**Compliance Assistance Specialists
Score Big in FY 2000**

Small businesses throughout Texas are receiving invaluable one-on-one help in complying with environmental regulations, thanks to a new TNRCC initiative staffed in fiscal year 2000.

Compliance assistance specialists from the TNRCC's Small Business and Local Government Assistance (SBLGA) section are now housed in each of the agency's 16 regional offices. Statewide, SBLGA compliance assistance specialists have helped numerous small businesses understand and comply with environmental requirements, thus reducing pollution.

In one region, field staff conducted extensive outreach to educate owners of fertilizer storage facilities about air regulations. Because of this effort, more than 40 fertilizer storage facilities came into compliance with the regulations and reduced their air emissions.

Following is a brief sampling of compliance assistance provided by SBLGA field staff:

- A small furniture refinisher received a notice of violation for failing to register as a small quantity generator (SQG) of hazardous waste. SBLGA staff arranged for a site assistance visit and provided information on alternative strippers. This allowed the facility to cut the amount of hazardous waste it produced by 60 percent, becoming a conditionally exempt SQG and substantially decreasing its

record-keeping and reporting requirements.

- The owners of a small gas station thought they couldn't meet requirements for leak detection. Field staff were able to show them an alternative method of compliance - statistical inventory reconciliation - that carries only a small monthly fee instead of the \$15,000 price tag they had been facing. The station is now back in business after two years of being idle.
- A small manufacturing company had not met record-keeping requirements. Staff walked the company through the waste determination process and helped identify and classify its paint and paint-related waste as universal waste. This allowed the company to downgrade its waste generator status and reduce reporting requirements, saving approximately \$500 to \$1,500 per year.
- A small printing company was improperly discharging process wastewater to a domestic on-site system. Based on recommendations from field staff, the company has installed a holding tank and evaporator that meet environmental regulations.
- A rural bulk fuel plant had registered its above-ground storage tanks

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but was unsure of other requirements. Regional staff recommended secondary containment as a means of preventing spills and soil contamination. Now the facility is in compliance and operating safely.

- After neighbors complained of nuisance odors from an auto body shop, field staff provided information on requirements for paint

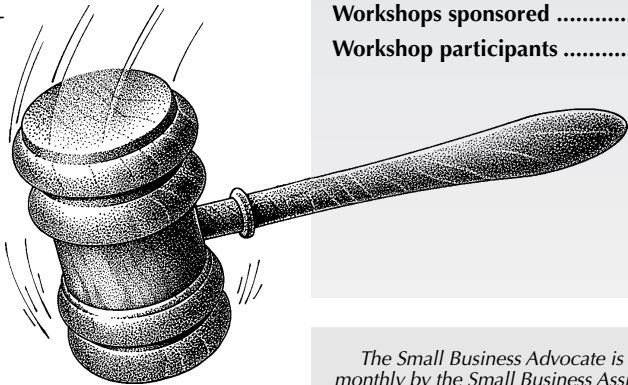
booths and for record-keeping, helping the shop comply with environmental rules.

SBLGA compliance assistance specialists are ready to help your small business! Remember: any information you share with these specialists remains confidential from the TNRCC's Enforcement Division. ▼

Regulatory Roundup FY 2000

- FY 2000 saw final approval for a substantial number of new TNRCC rules required by laws passed in 1999. Major rules affecting small businesses include:
- **De minimis criteria** – If your business emits air pollutants in very small, insignificant (“de minimis”) amounts, you no longer have to comply with TNRCC requirements involving authorization to construct and operate. The TNRCC has developed a list of the types of operations that qualify facilities as de minimis. To view the list, log on to www.tnrcc.state.tx.us/air/nsr_permits/index.html and click on “De Minimis List.” The rule also provides for three other options by which a facility could meet de minimis criteria: chemical usage rates, emission rates, and a case-by-case determination.
 - **Public participation procedures** – The TNRCC adopted new notice rules for nearly all environmental permits. In some cases, the rules have reduced the number of notices small businesses have to post. New alternatives to publication in a newspaper also mean lower costs. Small businesses applying for New Source Review permits, for example, can save as much as \$5,000. Generally, the rules affect anyone proposing to install or modify a facility that must have an air, water, or waste permit from the TNRCC.
 - **Voluntary Emission Reduction Permits (VERPs)** – Facilities in operation when Texas enacted the state Clean Air Act in 1971 may be grandfathered from complying with certain air authorization requirements. But be aware changes to your operations since then may have triggered permitting requirements. Recent legislation will allow you to apply for a VERP and not be subject to penalties if it's discovered during the VERP application process that you should already have obtained a permit. Other incentives for participating include reduced control requirements, minimal permit fees, no contested hearings, and an abbreviated health effects review. Your VERP application must be submitted before September 1, 2001. Call us at 1-800-447-2827 for a fact sheet on VERP or log on to www.tnrcc.state.tx.us/grandfathered.

Also in FY 2000, the TNRCC approved rules for the Texas Risk Reduction Program (TRRP). These rules detail a single set of requirements for cleaning up almost any type of environmental contamination, regardless of how the contamination happened. TRRP provides flexibility by allowing for (1) a simpler process to factor in site-specific considerations when setting cleanup levels and (2) more latitude to manage the contamination. The rules cover industrial solid waste and municipal hazardous waste, wastewater treatment, and underground injection control programs, as well as the state Superfund and Voluntary Cleanup programs. Effective May 1, newly reported cases of environmental contamination regulated under these programs must follow TRRP cleanup procedures. On September 1, 2003, TRRP will also apply to cleanups under the petroleum storage tank program. ▼



UPCOMING EVENTS:

- Electronic Reporting Training**
for generators and receivers of industrial and/or hazardous waste (512-239-6925)
Austin: Oct. 6, Nov. 3, Dec 1
- Pollution Prevention Week** - Sept. 18-24
- Pollution Prevention Workshops** (512-239-6333)
Dallas: Sept. 28-29 • Houston: Oct. 19-20
- Texas Recycling Summit** (512-239-6742) www.texasrecyclingsummit.com
Houston: Oct. 14-18
- WSO Environmental Health & Safety Conference** (1-800-792-8784, ext. 3438)
Waco: Oct. 23-25
- Small Business Advisory Committee Meetings**
Dallas: Nov. 7 • Fort Worth: Nov. 8 • Beaumont: Nov. 30 • Houston: Dec. 7
- Texas Recycles Day** - Nov. 15 (deadline for Environmental Excellence Award applications)

On the Job in Austin

SBLGA staff at TNRCC's Austin headquarters also made their mark in FY 2000. SBLGA participation in rule-making ensured that small business concerns were met as the agency implemented legislation enacted in 1999 (see related story). Staff also made sure these concerns were addressed as the TNRCC developed a new penalty policy.

In other activities, headquarters staff:

- developed and coordinated a major compliance initiative involving metal finishers, including an update of their compliance guide;
- issued a new manual on hazardous waste requirements and began writing a new compliance guide for the surface coating industry;
- developed a monthly news service on environmental topics for small businesses that is being distributed to newspapers statewide.

All this and more in addition to the ongoing duties of responding to hotline calls, arranging for site assistance visits, coordinating the Small Business Advisory Committees and the Compliance Advisory Panel, and planning and conducting workshops. ▼

Small Business & Local Government Assistance Outreach Activities

Hot line calls received	4,600
Site visits made	271
Compliance Commitment partnerships ..	18
Staff presentations	23
Workshops sponsored	43
Workshop participants	700

The Small Business Advocate is published bi-monthly by the Small Business Assistance Program. Comments or suggestions for future articles should be sent to:

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(All calls are confidential)

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www.tnrcc.state.tx.us/exec/sbea/smallbus.html

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